

The Salisbury Planning Board held its regular meeting on Tuesday, March 25, 2003, in the City Council Chambers of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: Sean Reid, Lou Manning, Ken Mowery, Rodney Queen, Sandy Reitz, Jeff Smith, Elaine Stiller, Eldridge Williams, Jerry Wilkes

ABSENT: Fred Dula, Len Clark, Brian Miller

STAFF: Harold Poole, Patrick Kennerly, Dan Mikkelson, Hubert Furr, Jewell Stokes

The meeting was called to order by Chairman Dula. The minutes of March 11, 2003, were approved as published.

COMMITTEE REPORTS

Dr Elaine Stiller presented the Committee 1 report to the full Planning Board. The committee's recommendation is to deny the proposal due to several factors:

- (1) Environmental concerns. Letters were received from some neighbors indicating the property in question had been used as an old landfill. When Wagoner Supply Company was located near this sit, it is said that they used this property to get rid of various types of materials. It is not known the extent of the "dumping", the materials, the exact locations, or the dates such "dumping" occurred.
- (2) Traffic concerns. West Council Street is a street 25 feet in width. Parking is currently allowed on both sides of the street. There is only room now for one car to pass through, when cars are parked on both sides. To what degree would additional cars generated from this apartment complex exacerbate the problem ?
- (3) Parking concerns. For the 16 proposed units, the site plan meets the basic requirement for 32 parking spaces. But some people question, whether, with three (3) bedrooms per unit, there will be more cars and more parking spaces needed. Will there be "spillover" onto the 700 block of West Council Street and other areas.
- (4) Neighborhood opposition, along with the petition (which contained about 30 names). Neighbors seemed to present some valid concerns. Many of the residents are elderly. They fear (rightly or wrongly) a lowering in their quality of life and the potential for crime if apartments for college students are allowed to be built.

There were some lingering items that the committee would like to have had answers for, such as the landfill question and the traffic question. However, Board member (though not on the committee) Rodney Queen urged the committee to go ahead and make a recommendation of

some sort- to get it out of committee. The committee did ask to conduct a minor traffic study in the area, to determine the current traffic counts.

Additional Information Presented by Dan Mikkelsen:

(1) Traffic

There are “levels of concern” at intersections, with those levels ranging from A, B, C, and D, with “D” being the most congested and “A” being the most manageable. Dan said the current “level” is “A” at the Council/Craige and Craige/Innes intersections, and those intersections should not be expected to change if the proposed apartments are built.

Speed could begin to be a problem if the traffic continues going straight down West Council Street (to North Ellis). The question becomes- is it traffic of a nature that could change the nature of a neighborhood ?

(2) Parking

West Council Street has 25 foot wide streets, which are fairly typical of streets in this area. If traffic becomes more of a problem, there may be three (3) choices – (a) prohibit parking on both sides, (b) prohibit parking on one side, or (c) allow parking by permit only.

(3) Environment/Landfill

Dan identifies on the map parcels 55 and 55-A. Parcel 55 is the lot proposed for the apartments. Wagoner Construction Company bought the adjoining property (55-A) in the 1960s and used it for waste material. Suggests against any requirement for environmental testing. City should not delay the project.

Board Discussion:

Rodney Queen – Made several trips out to location, a lot worse uses than apartments. When you meet qualifications of the site plan, it should be approved.

Elaine Stiller- As she recalled one of the criteria was environmental and traffic concerns, Board is in a position to protect a neighborhood.

Eldridge Williams- Agrees with Elaine. There’s even a responsibility to look at all factors. The Board has a right to stand up for the neighborhood. Planning Board should not be a “rubber stamp” for developers.

Sandy Reitz- Heard the neighbors, agrees with Elaine, but the developer had met his obligations.

Jeff Smith- There will be a change in the character of the neighborhood. Here we have property rights with property properly zoned for the proposal. Best entrance would be off West Innes. Hopes Council can do something. Apartment complex may be the less of two “evils.”

[NOTE: While the property is zoned M-2 and apparently allows all M-2 uses, which is just about everything in the Zoning Ordinance, the City Engineer has said in the past that residential streets cannot be used to access commercial property. It may be assumed that this includes industrial, as well as commercial property, since industrial is generally considered more intensive than commercial.]

[NOTE #2: As a result of one of the committee's questions, staff has asked Tony Cinquemani to conduct a traffic count on four (4) blocks in the area. To leave or return to the site in question, drivers would have to use the 700 block of West Council and one of the three other blocks in the study. The traffic count showed:

On March 20, 2003 , traffic counts, were as follows:

700 block of West Council - 133 vehicles

600 block of West Council - 349 vehicles

100 block of North Craige- 555 vehicles

200 block of North Craige- 310 vehicles

Dr. Elaine Stiller made the motion to deny the site plan as the committee report recommended, Eldridge Williams seconded the motion, the motion was defeated with a 6-3 vote.

Then there was a motion made by Rodney Queen that the site plan be approved, Jerry Wilkes seconded the motion, this motion was approved with a 7-2 vote.

The City Council will have this proposed site plan (G-3-03) on its April 1 agenda.

ZONING TEXT AMENDMENTS

(a) Theatre Signs in the B-7 District

The following is a proposal that would allow theatre signs on individual properties (not properties that are a part of a group development) in the B-7 Limited Business zoning district:

In Section 9.05 Signs Permitted by District, subsection (6) B-7 (Limited Business) Zoning District, the following text shall follow the box which outlines sign types, maximum size, and maximum height:

Theatre signs shall be allowed at or near the front of a property where a theatre has a setback of at least 300 feet from the front property line. This theatre sign shall contain only the name of the theatre and the movies or events currently occurring within the theatre. (It shall not be used for advertising events of future movies or events.) The theatre sign may take the place of a ground sign, but not be in addition to a ground sign. The size of the sign shall be no greater than 35 sq. ft. for every 50 feet the front of the theatre, or its wall or marquee, lies from the front of the property. The height of the sign shall be no greater than 10 feet for every 100 feet the front of the theatre, or its wall or marquee, lies from the front of the property. The theatre sign shall have no more than two (2) sides. Finally, the theatre sign shall be used only for the specific use "theatres," which is a use specifically allowable in the B-7 district. Theatre signs may not be used for any other allowable uses.

Glenn Ketner said he generally approved, but asked for a slight revision in the wording to allow that future movies could be advertised. Rodney Queen made the motion to approve the wording of the proposal with the amendments that Mr. Ketner added, Ken Mowery seconded the motion with all members voting AYE.

(b) **Wall Signs for Churches in the R-6A Multi-Family Residential District**

First Baptist Church would like to place a wall sign on the old YMCA building, which would read "First Ministry Center." In the R-6A district, it can put up with letters with a total size of no greater than 10 square feet. For the Church to be able to put up 1 ½ inch letters, which will read properly from North Fulton Street, it will need a sign with slightly over 30 square feet.

There are a couple of ways to accomplish this: (1) By rezoning (probably to B-1). (2) A zoning text amendment. Since 1st Baptist is in a hurry, and since rezoning would take about a month longer than a zoning text amendment, the decision was to try and get a zoning text amendment.

Staff has been working with Mary Ann Davis from 1st Baptist and Bob Gainer from Everglo Sign Company, who submitted a letter asking for the zoning text amendment. Dr. Kenneth Lantz, pastor of the Church, made a brief presentation to the Planning Board. Dr. Lantz explained that the Church wanted a sign that would be in scale and proper size with the property. He said he was in agreement with the proposed zoning text amendment prepared by staff.

Board Discussion:

Ken Mowery- Would rather see a wall sign that is in scale with the building and the property so people can see what the building is.

Sandy Reitz – Said she is glad 1st Baptist purchased the building and it is not just sitting there empty.

Eldridge Williams made the motion to approve the zoning text amendment; Rodney Queen seconded the motion with all members voting AYE.

City Council will be able to conduct a Public Hearing on April 15 to consider this proposal.

Consideration of Rezoning for Commercial Properties At and Near I-85/East Innes Street Interchanges

Staff has noted that three (3) of the four quadrants of the I-85/East Innes Street interchange have commercial development, with several different zoning classifications. The southeast quadrant (where Innes Street Market) is located has B-6, B-7, and M-1 zoning; the southwest quadrant (where the new Super Wal-Mart is located) has B-4 and M-1 zoning; and the northwest quadrant (where the Town Creek Commons is being developed) has B-4, B-6, and B-7 zoning. Staff showed this area to Planning Board in its agenda package. Planning Board is to decide whether it wants to leave everything alone, or whether it wants to seek greater consistency

in the zoning (probably to B-7). It seems inconsistent to look at just one of these quadrants without looking at all three commercial nodes.

Planning Board felt that it was worth exploring, without making any commitments on rezoning. The Special Committee formed included Rodney Queen, who volunteered to be on the committee and be its Chair; Sean Reid, Ken Mowery; and Jerry Wilkes. The meeting for this committee has been set up for Wednesday, April 2 at 7:00 am in the cafeteria at Rowan Regional Medical Center.

Report on Planning-Related Items from City Council's Recent "Retreat"

Dan Mikkelsen, City Engineer/Land Management & Development Director, gave a presentation on the recent City Council retreat, emphasizing those items thought to be of particular interest to the Planning Board.

Dan said the #1 item is "Improve neighborhoods and safety for all areas of the City." Below that overall goal there were several listings, including "Completed Park Avenue Community Center." Over the past year or so, Planning Board has worked on recommending rezoning (for over 100 properties), in the Park Avenue neighborhood, which in the Park Avenue neighborhood, which City Council approved, and addressing site plans for particular sites, including the Park Avenue Community Center, which is now under reconstruction.

Under the category "Expand the tax base and revenue sources" Dan identified the project of preparing a systematic annexation plan- probably similar to the one Danny Johnson prepared about 16 years ago.

Other projects identified by Dan were:

- (1) Implement open space standards through Vision 2020
- (2) Evaluate VCOD Ordinance for improved public acceptance (this project may have Planning Board involvement as soon as April)
- (3) Prepare East Innes Street streetscape plan
- (4) Adopt standards and ordinances that support implementation of Vision 2020
- (5) Streamline development review process and ordinances
- (6) Support Rowan County's development of a land use plan
- (7) Participate in the Regional Environmental Sustainability Project

Presentation of Certificate for Dr. Elaine Stiller

Dr. Elaine Stiller has served two (2) terms (6 years) as a Planning Board member from the ETJ area. The Planning Board presented her with a framed certificate, containing the Mayor's signature, in thanks for her years of service.

There being no further business to come before the Board, the meeting was adjourned.

Chariman

Secretary